

- (i) authority granted by law to a department or agency or the head thereof; or
- (ii) functions of the Director of the Office of Management and Budget relating to budget, administrative, or legislative proposals.
- (c) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.
- (d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

George W. Bush

The White House,
January 22, 2008.

[Filed with the Office of the Federal Register, 8:57 a.m., January 23, 2008]

NOTE: This Executive order was published in the *Federal Register* on January 24.

Memorandum on Determination on the Proposed Agreement for Cooperation Between the United States of America and the Republic of Turkey Concerning Peaceful Uses of Nuclear Energy

January 22, 2008

Presidential Determination No. 2008–8

Memorandum for the Secretary of State and the Secretary of Energy

Subject: Determination on the Proposed Agreement for Cooperation Between the United States of America and the Republic of Turkey Concerning Peaceful Uses of Nuclear Energy

I have considered the proposed Agreement for Cooperation Between the United States of America and the Republic of Turkey Concerning Peaceful Uses of Nuclear Energy, signed at Ankara on July 26, 2000, along with the views, recommendations, and statements of interested agencies.

I approve the proposed Agreement and have determined the performance of the Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security.

The Secretary of State is authorized to publish this determination in the *Federal Register*.

George W. Bush

NOTE: This message was released by the Office of the Press Secretary on January 23.

Message to the Congress Transmitting the Turkey-United States Agreement Concerning Peaceful Uses of Nuclear Energy

January 22, 2008

To the Congress of the United States:

I transmit to the Congress, pursuant to sections 123 b. and 123 d. of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2153(b),(d))(the “Act”), the text of the proposed Agreement for Cooperation between the United States of America and the Republic of Turkey Concerning Peaceful Uses of Nuclear Energy (the “Agreement”) together with a copy of the unclassified Nuclear Proliferation Assessment Statement (NPAS) and of my approval of the proposed Agreement and determination that the proposed Agreement will promote, and will not constitute an unreasonable risk to, the common defense and security. The Secretary of State will submit the classified NPAS and accompanying annexes separately in appropriate secure channels.

The Agreement was signed on July 26, 2000, and President Clinton approved and authorized execution and made the determinations required by section 123 b. of the Act (Presidential Determination 2000–26, 65 FR 44403 (July 18, 2000)). However, immediately after signature, U.S. agencies received information that called into question the conclusions that had been drawn in the required NPAS and the original classified annex, specifically, information implicating Turkish private entities in certain activities directly relating to nuclear proliferation. Consequently, the Agreement was not submitted to the